

Chairman Vap called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present.

#### GENERAL ADMINISTRATION

Notice was duly published September 13, 2005 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held Wednesday, September 21, 2005 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Wednesday, September 21, 2005:

NG-0028/ Commission Library, Lincoln. Workshop  
PI-97 In the Matter of the Commission, on its own motion, seeking  
1:30 to investigate and adopt policies for administration of  
Consumer Choice Programs offered by Jurisdictional Utili-  
ties.

#### COMMUNICATIONS DEPARTMENT

C-3381/ In the Matter of the Commission, on its own motion, seeking  
DC-70 an order to cease and desist operations and to revoke the  
Certificates of Public Convenience and Necessity issued to  
the named defendants: Motion made by Commissioner Rod Johnson,  
seconded by Commissioner Anne Boyle, to enter an order to dismiss in  
part and to revoke certificates of authority. Motion passed with  
Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis  
and Jerry Vap voting AYE.

C-3441 In the Matter of Trans National Communication Inter-  
national, Inc., Boston, Massachusetts, seeking authority to  
offer resold facilities-based competitive local exchange services  
within the state of Nebraska: Motion made by Commissioner Lowell  
Johnson, seconded by Commissioner Anne Boyle, to enter an order grant-  
ing the application. Motion passed with Commissioners Anne Boyle,  
Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3448/ In the Matter of the Joint Petition of Allo Communications,  
NUSF-49/ LLC, Imperial; Mobius Communications Company, Hemingford;  
PI-102 and Pinpoint Communications, Inc., Cambridge, seeking to  
investigate findings and conclusions under C-2516 and  
NUSF-26 regarding competitive business telecommunications services.  
Commissioner Vap presiding as Hearing Officer: A planning conference  
was scheduled for September 26, 2005 at 2:00 p.m. in the Commission  
Library, Lincoln.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3454/ In the Matter of the Commission, on its own motion, seeking  
PI-103 comment on the request by United Way of the Midlands to be  
assigned the use of "211" in Burt, Cummings and Thurston  
counties for access to First Call for Help (FCFH), a comprehensive  
information and referral service: Motion made by Commissioner Lowell  
Johnson, seconded by Commissioner Anne Boyle, to enter an order grant-  
ing the application. Motion passed with Commissioners Anne Boyle,  
Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3464/ In the Matter of the Commission, on its own motion, seeking  
PI-105 comment on the request by United Way of the Midlands to be  
assigned the use of "211" in Thayer county for access to  
First Call for Help (FCFH), a comprehensive information and referral  
service: Motion made by Commissioner Lowell Johnson, seconded by  
Commissioner Anne Boyle, to enter an order granting the application.  
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod  
Johnson, Frank Landis and Jerry Vap voting AYE.

C-3461 In the Matter of Qwest Corporation, Denver, Colorado,  
seeking an interconnection agreement with Action Communi-  
cations, Scottsbluff: Motion made by Commissioner Anne Boyle,  
seconded by Commissioner Lowell Johnson, to enter an order approving  
the application. Motion passed with Commissioners Anne Boyle, Lowell  
Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3462 In the Matter of Qwest Corporation, Denver, Colorado, seek-  
ing a Collocation Joint Inventory Visit Amendment No. 4 to  
the interconnection agreement with TCG Omaha, Denver, Colorado, pre-  
viously granted in Docket C-1379: Motion made by Commissioner Anne  
Boyle, seconded by Commissioner Lowell Johnson, to enter an order  
approving the application. Motion passed with Commissioners Anne  
Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting  
AYE.

C-3463 In the Matter of Qwest Corporation, Denver, Colorado, seek-  
ing a Collocation Joint Inventory Visit Amendment No. 3 to  
the interconnection agreement with AT&T of the Midwest, Inc., Denver,  
Colorado, within the state of Nebraska: Motion made by Commissioner  
Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order  
approving the application. Motion passed with Commissioners Anne  
Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting  
AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

E-2084        In the Matter of Highline Electric Association, Holyoke, Colorado, seeking authority to construct, operate and maintain an electric transmission line in Chase County: Motion made by Commissioner Rod Johnson, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

E-2085        In the Matter of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Platte County: Motion made by Commissioner Rod Johnson, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

FCC            In the Matter of Qwest's Petition for Forbearance in the  
04-233        Omaha Metropolitan Statistical Area Federal Communications Commission Docket 04-233: Gene Hand reported on the press release describing the relief granted by the FCC to Qwest on Friday, September 16, 2005.

Gene Hand reported on the announcement of an agreement between ALLTEL and U.S. Cellular that will result in U.S. Cellular acquiring nine rural wireless markets in Nebraska previously served by Western Wireless.

UNIVERSAL SERVICE FUND

NUSF-25       In the Matter of the Commission, on its own motion, seeking to establish guidelines for the purpose of certifying the use of federal universal service support: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the waiver request from ATC Communications for the late-filed affidavit of self-certification for federal high cost support. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NUSF-25       In the Matter of the Commission, on its own motion, seeking to establish guidelines for the purpose of certifying the use of federal universal service support: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order certifying affidavits from those Nebraska telecommunications companies receiving federal high cost support. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

UNIVERSAL SERVICE FUND (Cont.)

NUSF-37.65 In the Matter of Jeffrey L. Pursley, Director, Universal Service Fund Department, Complainant, vs. LCR Telecommunications, LLC, Respondent: Motion made by Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Jeff Pursley reported on Late-Filed Carrier Remittances. Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson, to enter a complaint against American Farm Bureau, dba The Farm Bureau Connection. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

E911 DEPARTMENT

Kara Thielen informed the Commission that a letter had been received from Buffalo County advising that they will be moving forward with Phase II implementation.

NATURAL GAS DEPARTMENT

NG-0031 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking authority for Limited Cost Recovery in the State of Nebraska. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter a Protective Order. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

LEGISLATIVE REPORT

Angela Melton reported on the interim study hearings.

RULES AND REGULATIONS

Rule and #165 In the Matter of the Commission, on its own motion, seeking Regulation to amend Title 291, Chapter 5, Telecommunications Rules and Regulations, to add rules for designating eligible telecommunications carriers in Nebraska for the purpose of receiving federal universal service support: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter a Certificate of Adoption. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1277        In the Matter of Brian L. Mills, dba Fantasy Limousine, Omaha: An oral argument was scheduled for 1:00 p.m. on September 27, 2005, in the Commission Hearing Room, Lincoln. Commissioner Landis was appointed as Hearing Officer.

Commissioner Landis exited the Commission Hearing Room.

B-1554,       In the Matter of DJW, Inc., dba Luxury Limousine, Syra-  
Supp. 4       cuse, seeking authority for the transportation of passen-  
                 gers as a limousine service between points in Lancaster  
County and between points within said county, on the one hand, and, on  
the other hand, points in Nebraska over irregular routes: A planning  
conference and notice of hearing order was entered scheduling a hear-  
ing for December 7, 2005, at 9:00 a.m. in the Commission Hearing Room,  
Lincoln. Commissioner Landis was appointed as Hearing Officer.

B-1669       In the Matter of "SMC" Shared Mobility Coach, Omaha, seek-  
                 ing to acquire, through transfer, the authority granted to  
Shared Mobility Coach, Inc., in Certificate B-1399: Motion made by  
Commissioner Anne Boyle, seconded by Commissioner Lowell Johnson, to  
enter an order granting the application and revoking Certificate  
B-1399. Motion passed with Commissioners Anne Boyle, Lowell Johnson,  
Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis  
excused not voting.

Rate Division

BR-308       In the Matter of R & F Hobbies, Inc., dba Prince of the  
                 Road, Ravenna, seeking authority to adjust its rates and  
charges: Motion made by Commissioner Lowell Johnson, seconded by  
Commissioner Rod Johnson, to enter an order granting the application.  
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod  
Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis  
excused not voting.

LR-259       In the Matter of R & F Hobbies, Inc., dba Aquila Limousine,  
                 Ravenna, seeking authority to adjust its rates and charges:  
Motion made by Commissioner Anne Boyle, seconded by Commissioner  
Lowell Johnson, to enter an order denying the application. Motion  
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and  
Jerry Vap voting AYE, and Commissioner Frank Landis excused not  
voting.

TR-149       In the Matter of Ronald D. or Darlene R. Allgood, dba Tree  
                 City Cab Company, Nebraska City, seeking authority to  
adjust its rates and charges: An order was entered denying the appli-  
cation on an emergency basis. A hearing was scheduled for October 26,  
2005, at 1:00 p.m. in the Commission Hearing Room, Lincoln. Commis-  
sioner Landis was appointed as Hearing Officer.

TRANSPORTATION DEPARTMENT (Cont.)

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-F: The fuel surcharge was decreased to 60 cents per mile.

Commissioner Landis returned to the Commission Hearing Room.

GRAIN WAREHOUSE DEPARTMENT

John Fecht reported on the following shortages:

GW-868 Bruno Cooperative Association, Bruno: Corn and soybeans.

Commissioner Boyle exited the Commission Hearing Room.

GW-2024 Cameron Feed Co., Herman: Corn

GW-2133 The Scoular Company, Hershey: Corn.

GW-2160 United Farmers Cooperative, Shelby: White corn and oats

GW-9 In the Matter of The Farmers Co-Operative Oil Company of Newman Grove, seeking cancellation of its Public Grain Warehouse License: The license was cancelled effective September 1, 2005.

GW-87 In the Matter of Northeast Cooperative, Wakefield, Allen, Thurston, and West Point, seeking cancellation of its Grain Warehouse License: The license was cancelled effective September 1, 2005.

GW-1930 In the Matter of Mueller Grain, Inc., Emerson, seeking cancellation of its Grain Warehouse License: The license was cancelled effective September 1, 2005.

Grain Dealer Division

GW-87 In the Matter of Northeast Cooperative, Wakefield, Allen, Thurston, and West Point, seeking cancellation of its Grain Dealer License: The license was cancelled effective September 1, 2005.

GW-1930 In the Matter of Mueller Grain, Inc., Emerson, seeking cancellation of its Grain Dealer License: The license was cancelled effective September 1, 2005.

GENERAL ADMINISTRATION

Commissioner Landis exited the Commission Hearing Room.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson, to approve the following Commission invoices. Motion passed with Commissioners Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

DAS-Communications	\$	3,296.53
DAS-Materiel-Postage		555.35
Secretary of State		792.00
Thomson West		557.20
Voyager		2,024.84
Tyler Frost		1,443.97
Angela Melton		1,192.72
Steve Stovall		886.94
Lowell Johnson		171.76
Lowell Johnson		193.23
Rod Johnson		446.16
Gerald Vap		874.18

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

AGN Sales	372.55
Alternative Hearing	1,374.00
Associated Hearing Health Care	1,937.25
Belton Hearing Aid Center	1,649.85
Harris Communications	159.20
Hearing Aid Specialists Inc	681.90
Carl A. Johnson	1,643.05
K-D Communications	4,909.25
Professional Hearing Aid Services	603.85
Sherard Hearing Aid Center	1,867.70
Teltex	997.20
Hearing Clinic Inc	515.00
Weitbrecht Communications	5,509.80
Western ENT Associates	189.95

Motion made by Commissioner Lowell Johnson, seconded by Commissioner Rod Johnson, to approve Commission minutes for the month of August, 2005. Motion passed with Commissioners Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson, to set mileage reimbursement rates for field staff using personal vehicles. Motion passed with Commissioners Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

GENERAL ADMINISTRATION (Cont.)

There being no need to address any matters in closed session, the meeting adjourned at 10:53 a.m. with Commissioners Lowell Johnson, Rod Johnson, and Vap present, and Commissioners Boyle and Landis excused. The next regularly scheduled meeting will be held on September 27, 2005, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on September 26, 2005.

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Chairman

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Executive Director